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February 1, 2019

**VIA ECF**

The Honorable Alvin K. Hellerstein  
United States Courthouse  
500 Pearl Street—Room 1050  
New York, NY 10007  
Fax: (212) 805-7942

**Re: *Girl Scouts of the United States of America v. Boy Scouts of America*, Case No. 18-cv-10287 (AKH)**

Dear Judge Hellerstein:

We are counsel to Defendant the Boy Scouts of America, and write to address certain statements in Plaintiff's counsel's correspondence to the Court this morning. At the parties' January 25, 2019 scheduling conference, after hearing a brief description of the issues raised in Defendant's Motion to Dismiss [Dkt. 18-20] ("Motion") filed January 23, 2019, the Court indicated that it considered those issues premature and was inclined to deny the Motion without prejudice to Defendant's raising and seeking resolution of those issues later in the case, such as at the time of the parties' pre-trial conference. Given that the Court wished to defer those issues, and given that Plaintiff had not yet submitted its responsive briefing to the pending Motion, the undersigned responded that Defendant would simply withdraw the Motion without prejudice to its re-filing at a later time of the Court's preference. The Court confirmed that a withdrawal and deferral was acceptable.

Accordingly, with the Court's permission, Defendant hereby withdraws the Motion [Dkt. 18-20] without prejudice to its right to raise these defects in Plaintiff's case at a later time.

Very truly yours,



Rachel Kassabian

cc: All Counsel of Record (by ECF)

**quinn emanuel urquhart & sullivan, llp**

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